



ENVIRONMENTAL PROTECTION ACT 1990

SECTION 37(1)(a)

**WASTE MANAGEMENT LICENCE
NOTICE OF MODIFICATION**

LICENCE REF No: EAWML 47074	FACILITY TYPE: Transfer Station, Scrap Yard and Household Waste Recycling (Civic Amenity) Site
LICENCE HOLDER: Mr James Edward Potter Potters Yard Severn Road Welshpool Powys SY21 7YE	LICENSED FACILITY: Potters Yard Severn Road Welshpool Powys SY21 7YE

WHEREAS on the 24th March 1994 the Montgomeryshire District Council issued a disposal licence in pursuance of their powers under Part I of the Control of Pollution Act 1974 for the above named facility.

AND WHEREAS on the 1st May 1994 the licence fell to be treated as a waste management licence under Part II of The Environment Protection Act 1990

AND WHEREAS on the 1st April 1996 the powers and duties of all waste regulation authorities in England and Wales transferred to the Environment Agency ("the Agency") by virtue of section 2 of the Environment Act 1995

AND WHEREAS on the 7th January 1998, 14th April 1999 and 9th June 2000 the licence was modified under Part II of The Environment Protection Act 1990

AND WHEREAS on the 4th October 2005 the licence was modified as detailed in Schedule 1 (Modification 4)

NOTICE IS HEREBY GIVEN that the Agency modifies the following conditions of the said licence as detailed in Schedule 1 (Modification 5) attached to this notice.

Signed

Name Paul Hayward

Environment Management Team Leader

Dated 4th October 2005

This modification shall take effect on 5th October 2005 at 00.01 hours

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED AT THE END OF THIS MODIFICATION.



SCHEDULE 1 (Modification 5)

Modification of conditions under section 37(1)(a) as follows:

Delete existing conditions 4.3.1 and 4.3.2

Replace with new conditions 4.3.1 and 4.3.2 as detailed in Appendix 1 to Schedule 1 to Modification Number 5.

EXPLANATORY NOTES - including rights of appeal.

RIGHTS OF APPEAL

Section 43(1) of the Environmental Protection Act 1990 provides that:

Where, except in pursuance of a direction given by the Secretary of State, the conditions of a licence are modified, the licence holder may appeal from the decision to the Secretary of State.

Therefore, if you feel aggrieved by the decision detailed on the attached notice, you may obtain the appropriate form on which to give written notice of an appeal from :-

The Planning Inspectorate
Environment Appeals Team
Room 215
Regus Building
1 Friary
Temple Quay
Bristol
BS1 6EA

For Wales, the address is –
The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Tel: 0117 344 5680/5682/5683
Fax: 0117 344 5242

Tel: 02920 823859
Fax: 02920 825150

This notice of appeal should be accompanied by the following information:

A statement of the grounds of appeal;

A copy of any application to modify the licence

A copy of the licence;

A copy of any correspondence relevant to the appeal;

A copy of any other document relevant to the appeal including, in particular, any relevant consent, determination, notice, planning permission, established use certificate or certificate of lawful use or development and

A statement indicating whether you wish the appeal to be in the form of a hearing or on the basis of written representations.

You are also required to serve a copy of your notice of appeal, together with copies of any the above documents that have accompanied your notice of appeal, on the Environment Agency (at the address overleaf). You should appeal within 6 months of the date that this notice takes effect but the Secretary of State may allow notice of appeal to be given after the expiry of this time period.

Appendix 1 to Schedule 1 to Modification Number 5

4.3 Fires on the Site

Prohibition of Unauthorised Fires on Site

- 4.3.1 No wastes shall be burned on the site under the terms of this licence.

Fire Action Plan

- 4.3.2 In the event of an unauthorised fire on the site a fire action plan shall be implemented immediately and recorded, in accordance with section 4.5 of document 1, section 3.2 of document 2 and section 4.9 of document 3 of the working plan and the following requirements:
- a All incidents of a fire shall be recorded.
 - b In event of any fire at the site that requires attendance of the Fire Service, the Environment Agency shall be informed immediately.
 - c The Environment Agency shall be informed of any other fire within 24 hours.
 - d All reasonably practicable measures shall be taken to prevent contaminated firewater from entering any surface watercourse.
 - e The sewerage undertaker shall be informed of any discharge of contaminated firewater to sewer.